

A meeting of the Jasper County Plan Commission was held Monday, January 28, 2013 at 7:15 pm in the Commissioners' Room of the Jasper County Courthouse, Rensselaer, Indiana. Members present: Sandra Putt, John Korniak, Justin Rodibaugh, Vince Urbano, Todd Peterson and Bryan Overstreet. Also present: Todd Sammons, Randle and Sammons, Administrative Attorney; Mary Scheurich, Director of Planning and Development; Kelli Standish, Secretary. Absent were: Jim Walstra, Jim Martin, and Gerritt DeVries.

Meeting was called to order by Board President Sandra Putt. The first order of business was the call for approval of the October 2012 minutes.

Vince Urbano made the motion to approve the October 2012 minutes. Motion was seconded by Justin Rodibaugh and carried unanimously.

Election of Officers for 2013

Motion was made by John Korniak and seconded by Justin Rodibaugh to retain the same officers from the previous year. Motion carried unanimously.

Officers for 2013 are as follows:

President ----- Sandra Putt
Vice President ----- Bryan Overstreet
Secretary ----- Jim Martin

Rezone

Cause#PC-1-13

Applicant: Tim and Wendy Hensley
Location: 800W. S. of 400N. W-side – Sec.10-30-7 – Union Twp.
Use: Rezone A1 to A2

Public hearing held pursuant to notice published January 2, 2013 in the Rensselaer Republican, a daily newspaper of general circulation printed and published in Jasper County, Indiana; also pursuant to notice to adjacent landowners given by certified mail, return receipts requested. All as shown by the affidavit of Melissa Blankenship, Clerk of the Rensselaer Republican, and return receipts submitted by the applicant.

Tim Hensley was present and stated that he owns 50 acres and would like to split the property into 3 different parcels. One parcel will have 40 acres, another one will have 5 acres with an existing home on it and the last parcel is a vacant 5 acres that he would like to keep.

Vince Urbano asked if the applicant is proposing to rezone the entire 50 acres since the 40 acres is a large tract of land and would be exempt from the subdivision.

Mary Scheurich replied affirmatively. They are requesting to rezone the entire 50

acres because the 40 acres does not have the correct amount of road frontage. If they rezone the 40 acres to A2 then they will have the correct amount of road frontage.

Vince Urbano asked if the property is rezoned would that give the applicant or anyone else an opportunity to subdivide the property into many lots. This is on a gravel road and he feels that this is not a good place to develop a subdivision. There is also a county drain that runs through the property as well.

Attorney Sammons replied that if a subdivision was developed they would have to get approval from this board to do it. One residence could be built on that 40 acres, but that's it.

Mary Scheurich stated that what could be done is not rezone the 40 acres, but grant a variance on the road frontage, so if someone chose to someday build a home they could.

Attorney Sammons asked if this would be a farmstead situation.

Mary Scheurich replied that she understands that the farmstead has to have an existing home on it to be considered farmstead. She has found in the book under the A1 zoning that to construct a single family dwelling it is now required to have a Special Exception approval.

Sandra Putt asked if anyone present had any opposition to the application. There was none.

Mary Scheurich stated that she has just found under "Lot Standards – 5.53 (D) Minimum Lot Frontage says, The minimum lot frontage shall be seventy-five percent 75% of the required minimum lot width except for cul-de-sacs which are described below." As long as they building site is 400 feet wide there is not a problem. They would not need to rezone or get a variance in order to construct a home on the 40 acres.

Bryan Overstreet made the motion to recommend approval to rezone the 10 acres (proposed 2-5 acre parcels) from A1 to A2 to the Board of County Commissioners and leave the 40 acres A1. Motion was seconded by Vince Urbano and carried unanimously.

Sandra Putt stated that the Planning and Development office will need a legal description for the 10 acres that will be rezoned, so they can get that to the Board of County Commissioners for final approval.

Discussion RE: David Hoffman

Mary Scheurich stated that David Hoffman located on Lot 3 Donnelly Sub'd. (500N. E. of Hwy 231 N-side) has constructed a small cabin on his property without obtaining a permit. Mr. Hoffman's daughter called the office wanting an address for this log cabin because she was going to live in it. That is how we found out they constructed

this structure.

Back in 2011 he constructed a Log Home Dwelling, Garage and a Post Frame Structure without first obtaining permits. Our office wrote him a letter stating he needed to obtain those permits and he refused. The County then ended up suing him and his wife and they then obtained the proper permits. We are in the same situation with the structure he just constructed. Our office has written him a letter and he refuses to obtain a permit, so we are getting ready to sue him again.

Attorney Sammons stated that the Planning and Development Office has done everything they can do to have them obtain a permit and they refuse. Another lawsuit is in the process of being filed. If they want a second residence on the property they will need to replat the property into a 2-lot replat.

Discussion RE: Brian Jonkman's zoning

Mary Scheurich explained to the Plan Commission that while the UDO was being adopted and the Zone Map updated Brian Jonkman's property was inadvertently overlaid with an incorrect zoning district. Mr. Jonkman went to the County Council for tax abatement and at that time this error was discovered. Mr. Jonkman's property is a legal nonconforming use under the current UDO. Mrs. Scheurich asked the Plan Commission if they felt there was cause to correct this error for mapping and zoning purposes. The Plan Commission had no opinion on the matter since the business is currently operating legally.

Upon motion duly made and seconded, meeting was adjourned.

A TRUE RECORD;

Sandra Putt, President